

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : Chapter 7
: :
Sharonn E Thomas, : No. 18-17430-ELF
: Debtor. :
:

ORDER

Upon consideration of the Motion (the “Motion”) filed by Terry P. Dershaw, Chapter 7 Trustee (the “Trustee) of the bankruptcy estate of Sharonn E. Thomas (the “Debtor”) for an Order Authorizing The Trustee to Sell Real Estate as set forth on Exhibit A (the “Properties”) Free and Clear of Liens, Claims and Interests Pursuant to Section 363(b) and (f) of Title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the “Bankruptcy Code”), to the parties set forth in agreements of sale attached to the Motion except that 3508 N 23rd Street and 2924 Ringgold Street shall be sold to the higher offeror pursuant to the Agreement filed with the Court and the responses to the Motion [Doc. 230, 231, 232, 233, 234, and 237], after a hearing at which the Trustee reported that the issues with the some of the responding parties have been resolved but not with respect to alleged second mortgage liens of Bank of New York Mellon, and the Court being satisfied that:

- (i) the sale of the Properties is necessary and is in the best interest of the Trustee, Debtor, the creditors and the estate;
- (ii) the sale of the Properties contemplated by the Motion being a sound exercise of the Trustee’s business judgment and being in good faith;
- (iii) the sale of the Properties is the product of good faith, arm’s length negotiations between the Trustee and Buyers.

(iv) and appearing that notice of the Motion having been given to the Office of the United States Trustee, the Debtor, creditors and other notice parties;

(v) and it appearing that no other notice need be given;

(vi) this Court having jurisdiction over the Motion;

(vii) after any proceedings in respect of this matter; and

(viii) sufficient cause appearing therefore, it is hereby:

ORDERED that pursuant to §§ 363(b) and (f) of the Bankruptcy Code, the Trustee is authorized and empowered to sell the Properties, where is, as is, without representation, warranty, statement, or guaranty whether express or implied, free and clear of interests (unless otherwise provided in the Motion or in the offer), for due consideration pursuant to the Contracts attached to the Motion as Exhibit B as Supplemented with the higher offers submitted to the Trustee with respect to 3508 N 23rd Street and 2924 N Ringgold St.; it is further

ORDERED that the settlement with the City of Philadelphia is approved; it is further

ORDERED that from the proceeds of the sale of the Properties, the Trustee is authorized to pay at closing:

- a. all Undisputed Liens (as set forth in the attached revised Exhibit A2 to the Motion) encumbering the Properties, less any agreed upon Carve-out;
- b. the real estate Broker Fees;
- c. typical closing costs;
- d. the co-owner's portion, if any, and
- e. Disputed Liens, including the alleged second mortgage liens of Bank Of New York Mellon with respect to 504 N 57th St. and 6106 W. Oxford St., shall not be paid at closing and shall attach to the proceeds of the sale until further determination by Order of the Court; it is further

ORDERED that Pursuant to Bankruptcy Rules 6004(h) this Order shall be effective and enforceable immediately upon entry, and the Trustee and the Buyers are authorized to close the Sales immediately upon entry of this Sale Order. The stay required under Bankruptcy Rule 6004(h) and is hereby waived.

Dated: _____, 2021

ERIC L. FRANK
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A-2 [REVISED]
UNDISPUTED FIRST PRIORITY LIENS/CO-OWNERS
TO BE PAID AT CLOSING

No.	Properties	Sales Price	Mortgagee/ Co-owner	Undisputed amount
1	3508 N 23rd St	\$154,379	TFI, Inc	\$10,019 Cross collateralized with 3330 W. Sergeant
2	2835 N Bonsall ST	\$34,000	[City]	[See carve-out]
3	504 N 57 th St	\$55,000	Bank Of New York Mellon Response Doc. 233 Bank Of New York Mellon Alleged Second	\$9671. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
7	2924 N. Ringgold Street	\$47,487	PNC Bank, National Association Response Doc. 231	\$5155. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
8	2338 N Gratz ST	\$54,000	JPMorgan Chase Bank, National Association Response Doc. 234	\$20,041. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
9	5621 Walton Ave	\$69,000	U.S. Bank National Association, as indenture trustee, for the CIM Trust 2016-FRE1, Mortgage-Backed Notes, Series 2016-FRE1 Response Doc. 230	\$29,176. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
10	6106 W. Oxford St	\$130,000	Wells Fargo Home Mortgage	\$12,900

			BoNY Alleged Second	\$3255
11	3330 W Sergeant ST	\$78,000	TFI, Inc.	\$10,019 Cross collateralized with 3508 N 23rd
12	1720 N Taney ST,	\$84,000	50% Owner Deborah Morris	\$35,397 Co-owner
13	4712 Penn St	\$135,000	MERS Loan Assigned to BNY/First Horizon Response Do, 237	\$34,760. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
15	2509 W Lehigh Ave	\$65,000	[City]	[See carve-out]
16	6563 Woodstock	\$89,000	Ocwen Loan Svgs LLC	\$50,914
19	1633 N 26 th Street	\$80,000	NationStar Mtge LLC 50 % Owner Brian E. Pope	\$24,726 \$13,855
20	5726 Hoffman Avenue	\$89,000	PNC Bank Response Doc. 232	\$68038. The lien shall be paid in full subject to a proper and accurate payoff at the time of sale unless mortgagee otherwise agrees to accept a lower amount.
21	5728 Hoffman Avenue	\$90,000	PNC Bank	\$50,000
26	3060 N Bonsall St	\$42,000	50% Owner Brenda J. Royal	\$16,738

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CERTIFICATION OF SERVICE

The undersigned certifies that the Motion of the Chapter 7 Trustee for an Order Authorizing The Trustee to Sell Certain Properties Free and Clear of Liens, Claims and Interests Pursuant to Section 363(b) and (f) of the Bankruptcy Code (the “Motion”) was served upon the persons set forth in the Court’s Mailing Matrix by CM/ECF for those accepting service electronically and by First Class United States Mail for any others on December 21, 2021. In addition, the Motion was also served on the following parties in the manner set forth below:

Via U.S. Mail

Internal Revenue Service
PO Box 7346
Philadelphia PA 19101-7346

Pennsylvania Department of Revenue
Department 280946
Attn: Bankruptcy Division
Harrisburg, PA 17128-0946

City of Philadelphia Law Department – Tax Unit
Bankruptcy Group – MSB
1401 John F. Kennedy Blvd., 5th Floor
Philadelphia, PA 19102

Attorney General of the United States
Ben Franklin Station
P. O. Box 227
Washington, DC 20044

TFI, Inc
c/o Michael Etemed

4421 Aramingo Avenue
Philadelphia, PA 19124

Brian E. Pope
2919 N Ringgold Street
Philadelphia, PA 19132-1908

Brian E. Pope
5000 Flat Rock Rd
Philadelphia
PA 19127

Brian E. Pope
2434 42nd St
Pennsauken, NJ 08110

Brenda J. Royal
426 Leah Drive
Fort Washington, PA 19034

Deborah Morris
2715 Cantrell Ter,
Philadelphia, PA 19145

Deborah Morris
760 N 43rd Street
Philadelphia, Pa 19104

Deborah Morris
856 N 29th St
Philadelphia PA 19130

Beneficial Consumer Discount
Daniel E Rosequist
President
301 N Walnut St
Wilmington, DE, 19801-4050

Via Electronic Mail
Richard Astrella
rich@starrealestategroup.net
Real Estate Agent/Broker for Trustee

/s/ Gary F. Seitz
Gary F. Seitz

Dated: December 21, 2021
Philadelphia, PA